
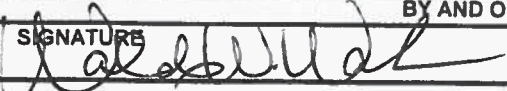


# RETURN TO EPA. MTS-7

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	<b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b>  <b>Assistance Amendment</b>		ASSISTANCE ID NO.		<b>DATE OF AWARD</b> 07/23/2007  <b>MAILING DATE</b> 07/30/2007  <b>ACH#</b> 90103	
			PRG	DOC ID		AMEND#
			GA -	96970501		- 1
			<b>TYPE OF ACTION</b> Augmentation: Increase			
<b>RECIPIENT TYPE:</b> Indian Tribe			<b>Send Payment Request to:</b> Las Vegas Finance Center, Fax (702) 798-2423			
<b>RECIPIENT:</b> Washoe Tribe of NV & CA 919 Highway 395 South Gardnerville, NV 89410 EIN: 88-0120754			<b>PAYEE:</b> Washoe Tribe of NV & CA 919 Highway 395 South Gardnerville, NV 89410			
<b>PROJECT MANAGER</b> Marie Barry 919 Highway 395 South Gardnerville, NV 89410 E-Mail: marie.barry@washoetribe.us Phone: 775-265-8682		<b>EPA PROJECT OFFICER</b> Gregory Phillips 75 Hawthorne Street, CED-3 San Francisco, CA 94105 E-Mail: Phillips.Gregory@epamail.epa.gov Phone: 775-885-6085		<b>EPA GRANT SPECIALIST</b> GwenL Brown Grants Management Office, MTS-7 E-Mail: Brown.GwenL@epamail.epa.gov Phone: 415-972-3661		
<b>PROJECT TITLE AND EXPLANATION OF CHANGES</b> General Assistance Program IV  The objective of the project is for the Washoe tribe to plan, develop and establish an environmental protection program through outreach and education, fish administration, Environmental inventory planning, consultation, and solid and hazardous waste education program. In addition, the Washoe Tribe will assess open dumps, clean-up dumps, install signage, identify violators, collect recycling, monitor usage of composting, offer Household Hazardous Waste Collection, collect junk vehicles, and educate the community.  This amendment provides EPA funding in the amount of \$379,682 which includes \$292,110 for General Assistance and \$87,572.00 for the implementation of solid and hazardous waste program. This funding is for the 12-month period from July 1, 2007 to June 30, 2008.						
<b>BUDGET PERIOD</b> 07/01/2006 - 06/30/2010		<b>PROJECT PERIOD</b> 07/01/2006 - 06/30/2010		<b>TOTAL BUDGET PERIOD COST</b> \$763,008.00		
				<b>TOTAL PROJECT PERIOD COST</b> \$763,008.00		
<b>NOTICE OF AWARD</b>						
Based on your application dated 04/18/2007, including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA), hereby awards \$379,682. EPA agrees to cost-share 100.00% of all approved budget period costs incurred, up to and not exceed total federal funding of \$763,008. Such award may be terminated by EPA without further cause if the recipient fails to provide timely affirmation of the award by signing under the Affirmation of Award section and returning all pages of this agreement to the Grants Management Office listed below within 21 days of receipt, or any extension of time, as may be granted by EPA. This agreement is subject to applicable EPA statutory provisions. The applicable regulatory provisions are 40 CFR Chapter 1, Subchapter B, and all terms and conditions of this agreement and any attachments.						
<b>ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)</b>			<b>AWARD APPROVAL OFFICE</b>			
<b>ORGANIZATION / ADDRESS</b> U.S. EPA, Region 9 Grants Management Office, MTS-7 75 Hawthorne Street San Francisco, CA 94105			<b>ORGANIZATION / ADDRESS</b> U.S. EPA, Region 9 Communities and Ecosystems Division, CED-1 75 Hawthorne Street San Francisco, CA 94105			
<b>THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY</b>						
<b>SIGNATURE OF AWARD OFFICIAL</b> Digital signature applied by EPA Award Official		<b>TYPED NAME AND TITLE</b> Carolyn Truong, Grants Management Officer		<b>DATE</b> 07/23/2007		
<b>AFFIRMATION OF AWARD</b>						
<b>BY AND ON BEHALF OF THE DESIGNATED RECIPIENT ORGANIZATION</b>						
<b>SIGNATURE</b> 		<b>TYPED NAME AND TITLE</b> Waldo W. Walker, Chairman		<b>DATE</b> 08/03/07		

**RECEIVED**  
**AUG 09 2007**  
**GMO, MTS-7**

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FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$ 383,326	\$ 379,682	\$ 763,008
EPA In-Kind Amount	\$ 0	\$	\$ 0
Unexpended Prior Year Balance	\$ 0	\$	\$ 0
Other Federal Funds	\$ 0	\$	\$ 0
Recipient Contribution	\$ 0	\$	\$ 0
State Contribution	\$ 0	\$	\$ 0
Local Contribution	\$ 0	\$	\$ 0
Other Contribution	\$ 0	\$	\$ 0
Allowable Project Cost	\$ 383,326	\$ 379,682	\$ 763,008

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.926 - Indian Environmental General Assistance Program	Indian Envir General Asst Prog Act 1992	40 CFR PTS 31 & 35 SUBPT B

Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
-	0709FE0121	07	E1	09FA0D5	503B15E	4121			379,682
									379,682

## Budget Summary Page

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$386,762
2. Fringe Benefits	\$109,794
3. Travel	\$30,401
4. Equipment	\$7,501
5. Supplies	\$8,848
6. Contractual	\$98,172
7. Construction	\$0
8. Other	\$63,356
9. Total Direct Charges	\$704,834
10. Indirect Costs: % Base <u>Various rates apply. See Table B.</u>	\$58,174
11. Total (Share: Recipient % Federal <u>100.00</u> %.)	\$763,008
12. Total Approved Assistance Amount	\$763,008
13. Program Income	\$0
14. Total EPA Amount Awarded This Action	\$379,682
15. Total EPA Amount Awarded To Date	\$763,008

## Detailed Table B Budget Page: 1

Table B - Program Element Classification (Non-construction)	Total Approved Allowable Budget Period Cost
1. TABLE A, LINE 11, INDIRECT COSTS ARE	\$
2. BASED ON TOTAL DIRECT COSTS	\$
3. LESS CAPITAL EXPENDITURES AND	\$
4. PASSTHROUGH FUNDS.	\$
5.	\$
6. SEVERAL RATES APPLY TO THIS	\$
7. AGREEMENT. SEE ADMIN CONDITION	\$
8. NUMBER 6.	\$
9.	\$
10.	\$
11. Total (Share: Recip % Fed <u>100.00</u> %)	\$
12. Total Approved Assistance Amount	\$

## **Administrative Conditions**

Please refer to initial assistance agreement dated July 28, 2006 for terms and conditions. Administrative conditions 2-6, 8 and Programmatic conditions P2 remain the same. Administrative conditions 1, 7, 9-11 and Programmatic condition P3 have been revised. Administrative conditions 12-14 have been added.

### **REVISED:**

1. An interim Financial Status Report (FSR), Standard Form 269A (Rev. 7/97), covering the period from "project/budget period start date" to June 30 of each calendar year shall be submitted to the Grants Management Office, MTS-7, no later than September 30 of the same calendar year. The final FSR covering the entire project period shall be submitted to the U.S. EPA Las Vegas Finance Center, PO Box 98515, Las Vegas, NV 89193-8515, within 90 days after the end of the project period according to the recipient's respective Code of Federal Regulations Part 30.52(a)(1)(iv) and 30.71(a), or Part 31.23(b) and 31.41(b) (as applicable). The LVFC will make adjustments, as necessary, to obligated funds after reviewing and accepting a final Financial Status Report. Recipients will be notified and instructed by EPA if they must complete any additional forms for the closeout of the assistance agreement.

7. Pursuant to EPA's annual Appropriations Act, the chief executive officer of this recipient agency shall require that no grant funds have been used to engage in lobbying of the Federal Government or in litigation against the United States unless authorized under existing law. As mandated by this Act, the recipient agrees to provide certification to the award official via EPA Form 5700-53, *Lobbying and Litigation Certificate*, or in a written statement. The Lobbying and Litigation certification and final Financial Status Report shall be submitted within 90 days after the end of project period.

Recipient shall abide by its respective 2 CFR 220, 225, or 230 (formerly OMB Circular A-21, A-87, or A-122), which prohibits the use of federal grant funds for litigation against the United States. Any Part 30 recipient shall abide by its respective 2 CFR 220, or 230 (formerly OMB Circular A-21 or A-122), which prohibits the use of Federal grant funds to participate in various forms of lobbying or other political activities.

9. The recipient agrees to ensure that all conference, meeting, convention, or training space funded in whole or in part with Federal funds complies with the protection and control guidelines of the Hotel and Motel Fire Safety Act (PL 101-391, as amended). Recipients may search the Hotel-Motel National Master List at <http://www.usfa.dhs.gov/applications/hotel/> to see if a property is in compliance (FEMA ID is currently not required), or to find other information about the Act.

10. Payment to consultants. Per 40 CFR **Part 31.36(j)**, EPA's participation in the salary rate (excluding overhead and travel) paid to individual consultants retained by recipients or by a recipient's contractors or subcontractors shall be limited to the maximum daily rate for a Level IV of the Executive Schedule, to be adjusted annually. This limit applies to consultation services of designated individuals with specialized skills and if the terms of the contract provide the recipient with responsibility for the selection, direction, and control of the individuals who will be providing services under the contract at an hourly or daily rate of compensation. As of January 1, 2007, the rate is \$557.28 per day and \$69.66 per hour. This rate does not include overhead or travel



costs and the recipient may pay these in accordance with its normal travel practices.

Subagreements with firms or individuals for services which are awarded using the procurement requirements in 40 CFR Parts 30 or 31, as applicable, are not affected by this limitation unless the terms of the contract provide the recipient with responsibility for the selection, direction, and control of the individuals who will be providing services under the contract at an hourly or daily rate of compensation. See 40 CFR Part 31.36(j)(2) or Part 30.27(b).

11. The recipient shall fully comply with Subpart C of 2 CFR Part 180 and 2 CFR Part 1532, entitled "Responsibilities of Participants Regarding Transactions (Doing Business with Other Persons)." The recipient is responsible for ensuring that any lower tier covered transaction as described in Subpart B of 2 CFR Part 180 and 2 CFR Part 1532, entitled "Covered Transactions," includes a term or condition requiring compliance with Subpart C. The recipient is responsible for further requiring the inclusion of a similar term or condition in any subsequent lower tier covered transactions. The recipient acknowledges that failing to disclose the information as required at 2 CFR 180.335 may result in the delay or negation of this assistance agreement, or pursuance of legal remedies, including suspension and debarment.

Recipient may access the Excluded Parties List System at [www.epls.gov](http://www.epls.gov). This term and condition supersedes EPA Form 5700-49, "Certification Regarding Debarment, Suspension, and Other Responsibility Matters."

**ADDED:**

12. The recipient will provide timely reporting of cash disbursements and balances through semi-annual submission of a Federal Cash Transactions Report (SF272 and SF272A). The appropriate reports must be submitted to the Las Vegas Finance Center within 15 working days following the end of the semi-annual periods ending June 30 and December 31 of each year. The recipient may access these forms and the instructions for submission at <http://www.epa.gov/ocfo/finservices/payinfo.htm>.

13. When procuring services, equipment, and/or supplies under this assistance agreement, the recipient will follow the same policies and procedures it uses for procurements from its non-Federal funds. The recipient will follow their own procurement policies and procedures provided that the policies and procedures conform with EPA regulations 40 CFR Part 31.36 or 30.44 (as applicable) which state that all procurement transactions will be conducted in a manner providing full and open competition.

14. The recipient organization of this EPA assistance agreement must make an ongoing, good faith effort to maintain a drug-free workplace pursuant to the specific requirements set forth in Title 40 CFR 36.200 - 36.230. Additionally, in accordance with these regulations, the recipient organization must identify all known workplaces under its federal awards, and keep this information on file during the performance of the award.

Those recipients who are individuals must comply with the drug-free provisions set forth in Title 40 CFR 36.300.

The consequences for violating this condition are detailed under Title 40 CFR 36.510. Recipients can access the Code of Federal Regulations (CFR) Title 40 Part 36 at

### **Programmatic Conditions**

#### **REVISED:**

P3. The U.S. EPA will be substantially involved in overseeing and monitoring this cooperative agreement. Involvement includes, but is not limited to: Providing intense programmatic monitoring by reviewing, commenting, and/or providing prior approval of specific workplan activities and/or project phases and their associated costs; joint collaboration between EPA and the recipient; providing technical assistance in developing curriculum; and participating as speaker(s) or instructor(s)). Specific details are contained in the approved workplan.

-- END OF DOCUMENT --